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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 10/589,760  | 08/17/2006  | Kikuo Yamada           | HOS 76              | 9502             |
| 7590 09/15/2011<br>H. Jay Spiegel & Associates PC<br>P. O. Box 11<br>Mount Vernon, VA 22121 |             |                        |                     |                  |
| EXAMINER<br>CHIN, RANDALL E   |             |                        |                     |                  |
| ART UNIT<br>3723  |             | PAPER NUMBER           |                     |                  |
| MAIL DATE<br>09/15/2011   |             | DELIVERY MODE<br>PAPER |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/589,760

Examiner

Randall Chin

Applicant(s)

YAMADA, KIKUO

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 01 July 2011 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☒ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☒ B. Other See Continuation Sheet.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
- \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Randall Chin/  
Primary Examiner, Art Unit 3723

(571) 272-1270

Continuation of 1(c) Other: Applicant has again submitted more apparent changes to the specification in the form of 46 pages of apparent amendments thereto. With so many more changes to be made, Applicant is strongly encouraged to send in another complete substitute specification given the fact that the 46 pages (and wording) to be amended DO NOT CORRESPOND AND CORRELATE VERBATIM with the specification filed back on 20 October 2010. Applicant's instructions/directions at the top of the 46 pages for amending specific PAGES makes it appear that such page replacement correlates directly to the current specification page which is pending causes much confusion.

Continuation of 2(b) Other: The Abstract must be LESS than 150 words or 15 lines. A shorter Abstract must be submitted.

Continuation of 4(e) Other: Applicant has submitted two (2) DIFFERENT versions/sets of Listings of Claims on the same date in the system which is confusing and improper (particularly in view of the fact that each Listing includes the statement "This listing of claims will replace all prior versions, and listings, of claims in the application."). Only a SINGLE Listing of Claims section should be submitted to avoid any confusion by the examiner and printer should the case be passed to allowance. NO reproduction/copy of any previous version should be submitted. Applicant's statement that no differences in any two versions of claim 1 have been found/submitted is NOT understood since Applicant again is submitting TWO (2) versions of claim 1 in the instant amendment raising confusion in the e-DAN system. Again, only a single Listing of Claims should be submitted to ensure correct printing should the case be passed to allowance.